

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CLEVELAND BRANDON,

Petitioner,

v.

DAVID E. ORTIZ,

Respondent.

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Civ. No. 20-5598 (NLH)

MEMORANDUM OPINION & ORDER

APPEARANCE:

Cleveland Brandon
91304-038
Fort Dix Federal Correctional Institution
P.O. Box 2000
Joint Base MDL, NJ 08640

Petitioner Pro se

Rachael Honig, Acting United States Attorney
John Francis Basiak, Assistant United States Attorney
Office of the U.S. Attorney
402 East State Street
Room 08608
Trenton, NJ 08608

Counsel for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Cleveland Brandon filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging the Bureau of Prisons' decision regarding his eligibility for the Residential Drug Abuse Program, see ECF No. 1; and

WHEREAS, Respondent filed a motion to dismiss the petition, ECF No. 9; and

WHEREAS, Petitioner filed a motion for judgment, ECF No. 14; and

WHEREAS, the United States filed a letter on January 20, 2021 indicating that Petitioner was granted compassionate release by his sentencing court on November 24, 2020, United States v. Brandon, No. 09-cr-10377 (D. Mass. Nov. 24, 2020) (ECF No. 58). ECF No. 16; and

WHEREAS, Petitioner's habeas petition challenging the BOP's RDAP decision is moot considering his release from BOP custody. See Hayes v. Ortiz, No. 17-6459, 2020 WL 5406157, at *2 (D.N.J. Sept. 9, 2020),

THEREFORE, IT IS on this 21st day of January, 2021

ORDERED that the petition is dismissed as moot. The Clerk shall terminate all pending motions; and it is finally

ORDERED that the Clerk shall send Petitioner a copy of this Order by regular mail and mark this case closed.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.